

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**WILLIAM RUSSELL,**

**Plaintiff,**

**vs.**

**FREESE II, INC. and DAVID L.  
WHORTON,**

**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Civil Action Number:**

**1:14-cv-00192-TCB**

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties, by and through their undersigned counsel of record, hereby stipulate and agree to the dismissal with prejudice of the above-captioned action. Except as otherwise agreed between the parties, each party shall bear its own attorneys' fees and costs.

Respectfully submitted this 7<sup>th</sup> day of May, 2014.

/s/ Kevin D. Fitzpatrick, Jr.

Kevin D. Fitzpatrick, Jr.  
Georgia Bar No. 262375  
Charles R. Bridgers  
Georgia Bar No. 080791

DELONG CALDWELL BRIDGERS  
& FITZPATRICK, LLC  
3100 Centennial Tower  
101 Marietta Street  
Atlanta, Georgia 30303  
(404) 979-3150  
(404) 979-3170 (facsimile)

/s/ Bennet D. Alsher

Bennet D. Alsher  
Georgia Bar No. 013682

FORD & HARRISON LLP  
271 17th Street, NW, Suite 1900  
Atlanta, GA 30363  
(404) 888-3852  
(404) 832-8702 (facsimile)  
[balsher@fordharrison.com](mailto:balsher@fordharrison.com)

Attorney for Defendants

[kevin.fitzpatrick@dcbflegal.com](mailto:kevin.fitzpatrick@dcbflegal.com)  
[charlesbridgers@dcbflegal.com](mailto:charlesbridgers@dcbflegal.com)

Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**WILLIAM RUSSELL,**

**Plaintiff,**

**vs.**

**FREESE II, INC. and DAVID L.  
WHORTON,**

**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Civil Action Number:**

**1:14-cv-00192-TCB**

**CERTIFICATE OF SERVICE**

I certify that on the date shown above, I electronically filed a true and correct copy of the parties' **STIPULATION OF DISMISSAL WITH PREJUDICE** with the Clerk of Court using the CM/EMF system which will automatically send email notification of such filing, constituting service to all attorneys of record.

/s/ Kevin D. Fitzpatrick, Jr.  
Georgia Bar No. 262375